

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

SCHREINER UNIVERSITY,

Plaintiff,

vs.

COMPASS GROUP USA, INC.,

Defendant.

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SA-24-CV-00020-FB

ORDER SETTING INITIAL PRETRIAL CONFERENCE

Before the Court is the above-styled and numbered cause of action, which was referred to the undersigned on January 10, 2024, for all pretrial proceedings [#9]. The record reflects that Defendant Compass Group USA, Inc. d/b/a Chartwells removed this case from state court on January 5, 2024. Prior to referring this case to the undersigned, the District Court ordered the parties to file their proposed scheduling recommendations within sixty days of the appearance of any defendant [#6]. The Court will therefore set this case for its standard initial pretrial conference.

As this case arises under the Court's diversity jurisdiction, the Court will also order all parties to file a disclosure statement pursuant to Rule 7.1 of the Federal Rules of Civil Procedure.

IT IS THEREFORE ORDERED that all parties file a disclosure statement identifying the citizenship of every individual or entity whose citizenship is attributed to the party on or before **February 12, 2024**.

IT IS FURTHER ORDERED that, pursuant to Rule 16 of the Federal Rules of Civil Procedure, this case is **set** for an **Initial Pretrial Conference** at **1:00 p.m. Central Time** on

April 4, 2024. Counsel for all parties are **required to appear by Zoom** for the conference. The information to join the conference is as follows:

Join ZoomGov Meeting: <https://txwd-uscourts.zoomgov.com/j/16126729723>

Meeting ID: 161 2672 9723

If there are questions regarding the Zoom appearance, the parties should contact Judge Chestney's Courtroom Deputy by emailing txwdml_chambers_sa_judgechestney@txwd.uscourts.gov.

Because earlier hearings in other cases may be in progress at the time attorneys log-in for their scheduled hearing, attorneys may be required to wait in the Zoom "waiting room" until the Courtroom Deputy addresses them. Parties should review the July 15, 2020 Standing Order Regarding Telephone or Video Teleconference Hearings, which is available upon request from the Courtroom Deputy and on the Court's website.

IT IS FURTHER ORDERED that the parties confer in the manner required by Rule 26 of the Federal Rules of Civil Procedure; further, pursuant to Local Rule CV-16 the parties should submit their Joint Discovery/Case Management Plan in a form that substantially conforms with Appendix N of the Local Rules and that answers the following questions no later than **March 29, 2024**.

1. Are there any outstanding jurisdictional issues? For removed cases based on diversity jurisdiction, do the parties agree that the amount in controversy exceeded \$75,000 at the time of removal? If not, each party should state its position on the amount in controversy.
2. Are there any unserved parties? If more than 90 days have passed since the filing of the Complaint or petition, should these unserved parties be dismissed?
3. What are the causes of action, defenses, and counterclaims in this case? What are the elements of the cause(s) of action, defenses, and counterclaims pled?
4. Are there any agreements or stipulations that can be made about any facts in this case or any element in the cause(s) of action?
5. State the parties' views and proposals on all items identified in Fed. R. Civ. P. 26(f)(3).
6. What, if any, discovery has been completed? What discovery remains to be done? Have the parties considered conducting discovery in phases?

7. What, if any, discovery disputes exist?
8. Have the parties discussed the desirability of filing a proposed order pursuant to Federal Rule of Evidence 502?
9. Have the parties discussed mediation?

During their conference, the parties should also address whether a protective order is required, and whether the protective order in Appendix H-1 (to govern standard cases) or Appendix H-2 (to govern complex cases) of this Court's Local Rules is appropriate. The Court will address the substance of the parties' joint report and discovery plan at the Initial Pretrial Conference.

IT IS FURTHER ORDERED that the parties submit a **proposed scheduling order** as directed by the District Court in its Order dated January 10, 2024 [#6], on or before **March 29, 2024**. The Court will discuss with the parties any proposed changes to the Court's standard scheduling order based on the unique circumstances of this case at the Initial Pretrial Conference.

IT IS SO ORDERED.

SIGNED this 5th day of February, 2024.



ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE